#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office on January 18, 2008 at or before 11:59 p.m. Pacific Time under the Rules of 37 CFR § 1.8.

Vickie D. Wall

Applicant

: Martin Bergsmann, et al.

Confirmation No. 1968

Application No.

: 10/566,144

Filed

: January 27, 2006

Title

: DEVICE FOR THE STORAGE OF SOLID AND/OR LIQUID AND/OR

**GASEOUS OBJECTS** 

Grp./Div.

: 2612

Examiner

: Jennifer Mehmood

Docket No.

: 57036/M521

## REQUEST FOR REFUND

Commissioner for Patents P.O. Box 1450

P.O. Box 1450 Alexandria, VA 22313-1450 Post Office Box 7068 Pasadena, CA 91109-7068 January 18, 2008

Commissioner:

In reviewing our Deposit Account Statement (No. 03-1728) for September 2007, we noted a charge for the above-referenced patent application as follows:

09/25 1

10566144

57036/M521 1202 \$250.00

The \$250.00 charge appears to be for additional claim fees due when we filed a Supplemental Preliminary Amendment on March 14, 2007 (a copy of the Transmittal Letter is enclosed as Exhibit A).

When the application was filed on January 27, 2006 (copy of transmittal letter enclosed as Exhibit B) we paid for 25 claims.

The claim calculation on page 2 of Exhibit A (the transmittal letter for the Supplemental Preliminary Amendment) was incorrectly prepared. After the Supplemental Preliminary

# **Application No. 10/566,144**

Amendment, 29 claims remained in the application. The Total Claim Calculation should have read 29 - 25 (not 29 - 20). Consequently, we correctly paid for 4 additional claims with the Supplemental Preliminary Amendment filed March 14, 2007.

Based on the above, it is respectfully requested that a refund of \$250.00 be credited to our **Deposit Account No. 03-1728**.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By.

Mark Garscia Reg. No. 31,953

626/795-9900

MEG/vdw

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(RI	RM PT EV. 9-2	0-1390 (Modified) U.S. PATENT AND TO SEMARK OFFICE	E; U.S. DEPARTMENT OF COMMERCE	PRNEY'S DOCKET NUMBER				
		RANSMITTAL LETTER TO TH		57036/M521				
		DESIGNATED/ELECTED OF	FICE (DO/EO/US)	U.S. APPLICATION NO. (If known, see 37 CFR 1.5				
L	CC	NCERNING A SUBMISSION L	JNDER 35 U.S.C. 371	10/566,144				
IN	TERN	ATIONAL APPLICATION NO. INTER	NATIONAL FILING DATE	PRIORITY DATE CLAIMED				
717	I E O	PCT/DE2004/01668 F INVENTION	26 July 2004	28 July 2003				
•			AD LIGHT AND A					
		E FOR THE STORAGE OF SOLID AND/C	K LIQUID AND/OR GASEOUS	OBJECTS				
AP	PLIC	ANT(S) FOR DO/EO/US						
BE	RGS	MANN, Martin; BERNDS, Adolf: CLEME	NS. Wolfgang: CFDI T. Awal. III	ALIK, Marcus; MULLER, Matthias; ROST,				
He	nning	; SCHMID, Gunter; TREUTLEIN, Roland	no, wongang, GEREI, Axel; MA	ALIK, Marcus; MULLER, Matthias; ROST,				
App	olican	herewith submits to the United States Designa	ted/Flected Office (DO/FO/US) #b-	<b>5-11</b>				
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2	. 🗷	This is a FIRST submission of items concer This is a SECOND or SUBSECUENT subm	ning a submission under 35 U.S.C.	371.				
3.		This is a SECOND or SUBSEQUENT subm This is an express request to begin national	examination procedures (25 LL C.	ssion under 35 U.S.C. 371.				
l			examination procedures (35 U.S.C.	. 371(f)). The submission must include items (5), (6),				
4.		The service boot dicoled (Alticle 31).						
5.		A copy of the International Application as file	ed (35 U.S.C. 371 (c)(2))					
ļ		a.  is attached hereto (required only if	not communicated by the Internation	onal Bureau).				
		b.  has been communicated by the Int						
	_	c. is not required, as the application v	vas filed in the United States Receiv	ring Office (RO/US).				
6.		An English language translation of the Intern	ational Application as filed (35 U.S.	C. 371(c)(2)).				
		a. is attached hereto.						
7.		b. has been previously submitted und						
٠.		Amendments to the claims of the International  a.   are attached hereto (required only in	al Application under PCT Article 19	(35 U.S.C. 371 (c)(3))				
		The attention frequired offly f	f not communicated by the Internation	onal Bureau).				
		- The second definition to a by the in						
		<ul><li>c.  have not been made; however, the</li><li>d.  have not been made and will not be</li></ul>	time limit for making such amendme	ents has NOT expired.				
8.								
9.		An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).  An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).						
10.		An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).						
11.		A copy of the International Preliminary Examin	nation Report (PCT/IPFA/400)					
12.		A copy of the International Search Report (PCT/ISA/210).						
Ite	ems 1	3 to 23 below concern document(s) or infor	·					
13.		An Information Disclosure Statement under 3						
14.		An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.						
15.		A FIRST preliminary amendment.						
16.	$\boxtimes$	A SECOND or SUBSEQUENT preliminary amendment.						
<b>17.</b>		An Application Data Sheet under 37 CFR 1.76						
8.	<b>X</b>	A substitute specification.						
9.		A power of attorney and/or change of address		İ				
20.		A computer-readable form of the sequence list	ing in accordance with PCT Rule 13	ter.2 and 37 CFR 1.821 - 1.825.				
1.		A second copy of the published International A	pplication under 35 U.S.C. 154(d)(4	).				
2.		A second copy of the English language translat	tion of the International Application ι	under 35 U.S.C. 154(d)(4).				
23.		Express Mail Label No. EV327821691 US		·				

# Exhibit A

PTO-1390 (Rev. 09-2006)
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PTO-1390 (Rev. 09-2006)
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE to a collection of information unless it displays a valid OMB control number.

U.S. APPLICA	TION NO (if known, s	ee 37 CFR 1.5)	INTERNATIO	nd to a	collection of inf	formati O		
	10/566,144		i		4/01668	<b>-</b> .	1	DOCKET NUMBER
24. Other	items or information	n:		2200	4/01000		1 5/03	6/M521
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Computer p	rogram listing in an	electronic medi	um) (37 CFR 1.49	92(j)).				
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			OF ABOVE C		\$360.00	—Ľ	\$0.00	<del>                                     </del>
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			TOTAL N	IATIC	NAL FEE	= \$	\$200.00	
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ccompanied by a	an appropriate cove	er sheet (37 CFR	3.28, 3.31). \$40	per pr	operty +	\$	\$0.00	
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form as a PDF along with your EFS-Web submission.
redit card information may be displayed via PAIR. To
peen met, a petition to revive (37 CFR 1.137(a) or (b))
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SIGNATURE
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Deidra D. Ritcherson
NAME
55,574
REGISTRATION NUMBER
14 March 2007
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FORM (REV.	A PTO-1 2-2005	1390 (Modified) U.S. PATENT AND TRA	ARK OFFICE; U.S. DEPARTMENT OF COMMERCE	AT: NEY'S DOCKET NUMBER				
		RANSMITTAL LETTER 1	57036/M521					
			U.S. APPLICATION NO. (If known, see 37 CFR 1.5					
	DESIGNATED/ELECTED OFFICE (DO/EO/US)  CONCERNING A SUBMISSION UNDER 35 U.S.C. 371  N/A  N/A							
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IINIE		TIONAL APPLICATION NO. PCT/DE2004/001668	INTERNATIONAL FILING DATE 26 July 2004	PRIORITY DATE CLAIMED 28 July 2003				
TITL		INVENTION	20 02.3 2007	26 July 2003				
DEV	/ICE	FOR THE STORAGE OF SOLII	AND/OR LIQUID AND/OR GASEOUS	S OBJECTS				
		NT(S) FOR DO/EO/US	-					
BER	RGSM	IANN, Martin; BERNDS, Adolf; (	CLEMENS, Wolfgang; GERLT, Axel; H	ALIK, Marcus; MUELLER, Matthias; ROST,				
_		SCHMID, Gunter; TREUTLEIN						
Appli	icant i	herewith submits to the United States	Designated/Elected Office (DO/EO/US) the	e following items and other information:				
1.	$\boxtimes$	This is a FIRST submission of item	ns concerning a submission under 35 U.S.C	3. 371.				
2.		This is a SECOND or SUBSEQUE	NT submission of items concerning a subm	ission under 35 U.S.C. 371.				
3.	X	This is an express request to begin	n national examination procedures (35 U.S.C	C. 371(f)). The submission must include items (5), (6),				
4.	×	(9) and (24) indicated below.	241					
5.	×	The US has been elected (Article : A copy of the International Applica						
Ŭ.			red only if not communicated by the Internal	tional Dunana				
		(, , , , , , , , , , , , , , , , , , ,	by the International Bureau.	donal Bureau).				
			plication was filed in the United States Rece	sixing Office (PO#IC)				
6.			the International Application as filed (35 U.S	· · · · · · · · · · · · · · · · · · ·				
		a.  is attached hereto.	and international Application as filed (55 C.C	3.C. 37 (C)(2)).				
			nitted under 35 U.S.C. 154(d)(4).	i				
7.			nternational Application under PCT Article 1	9 (35 U.S.C. 371 (c)(3))				
			ired only if not communicated by the Interna	* * * * * * * * * * * * * * * * * * * *				
			by the International Bureau.	·····				
			vever, the time limit for making such amende	ments has NOT expired.				
		d.   have not been made and		·				
8.		An English language translation of	the amendments to the claims under PCT A	rticle 19 (35 U.S.C. 371(c)(3)).				
9.	$\boxtimes$	An oath or declaration of the invent						
10.		An English language translation of Article 36 (35 U.S.C. 371 (c)(5)).	the annexes to the International Preliminary	Examination Report under PCT				
11.		A copy of the International Preliminary Examination Report (PCT/IPEA/409).						
12.	×	A copy of the International Search	Report (PCT/ISA/210).					
Ite	ems 1	3 to 23 below concern document(	s) or information included:					
13.	$\boxtimes$	An Information Disclosure Stateme	ent under 37 CFR 1.97 and 1.98.					
14.			ling. A separate cover sheet in compliance	with 37 CFR 3.28 and 3.31 is included.				
15.		A FIRST preliminary amendment.						
16.		A SECOND or SUBSEQUENT preliminary amendment.						
17.		A substitute specification.						
18.		A power of attorney and/or change	of address letter.					
19.		A computer-readable form of the se	quence listing in accordance with PCT Rule	13ter.2 and 37 CFR 1.821 - 1.825.				
20.			rnational Application under 35 U.S.C. 154(d					
21.		A second copy of the English language	age translation of the International Application	on under 35 U.S.C. 154(d)(4).				
22.	⊠ ≅	Express Mail Label No. EV 35	31242450 US	ļ				
23.	×	Other items or information:						
		Extra set of drawings						
			E 1 11 11 B	1				

### Exhibit B

PTO-1390 (Rev. 02-2005)
A /ed for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

N/A   PCT/DE2004/001668	U.S. APPLICATION	I NO (if known, see	37 CFR 1.5)	INTERNATIONAL					ATTORNEY'S DOCKET NUMBER		
2.5   Sex-minimation fee   \$300   \$\$ \$300.00				PCT/DE2	004/	0010	668	<u> </u>	<del></del>		
25. Examination fee  If international preliminary examination report prepared by USPTO and all claims  If international preliminary examination report prepared by USPTO and all claims  If international preliminary examination report prepared by USPTO and all claims  3100 \$ \$200.00  All other situations. \$200  26. Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an international Searching Authority. \$100  International Search Report prepared and provided to the Office \$400  At other allows an international Searching Authority. \$100  International Search Report prepared and provided to the Office \$400  At other allows fee for specification and drawlage filed in paper over 100 sheets (excluding sectional file for specification and drawlage filed in paper over 100 sheets (excluding sectional file for paper or fraction thereof.  TOTAL OF 24, 25 and 26 = \$10,000  Surcharge of \$130.00 for furnishing the oath or declaration later than months from the string of the oath oath oath oath oath oath oath oath					_			_	CULATIONS	PTO USE	
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28. Search fee (20 CFR 1.445(a)(2)) has been paid on the intermational application to the USPTO as an international Searching Authority	If International preli	If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)									
TOTAL OF 24, 25 and 26 =	26. Search fee  Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority								\$500.00		
Total Sheets   Extra Sheets   Extra Sheets   fraction thereof (round up to a whole	TOTAL	OF 24, 25 and	d 26 =					s		<del></del>	
Faction thereof (round up to a whole   27 - 100 = 0		for specification ng or computer r additional 50 sh	and drawings to program listing leets of paper o	iled in paper over 10 filed in an electronic or fraction thereof.	00 she	eets ium)	(excluding ). The fee is				
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the sarilest claimed priority date (37 CFR 1.492(e)).  CLAIMS   NUMBER FILED   NUMBER EXTRA   RATE    Total claims   25   -20 =   5   x   \$50.00   \$ \$220.00    Independent claims   3   -3 =   0   x   \$200.00   \$ \$0.00    MULTIPLE DEPENDENT CLAIMS (if applicable)   + \$360.00   \$ \$0.00    TOTAL OF ABOVE CALCULATIONS =   \$ \$1,380.00    Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.  SUBTOTAL =   \$ \$1,380.00    Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).  TOTAL NATIONAL FEE =   \$ \$1,510.00    Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +   \$ \$0.00    TOTAL FEES ENCLOSED =   \$ \$1,510.00    Amount to be   \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$			Number of	f each additional 50 o	or						
earliest claimed priority date (37 CFR 1.492(e)).  CLAIMS   NUMBER FILED   NUMBER EXTRA   RATE    Total claims   25   -20 =   5   x   \$50.00   \$ \$250.00    MULTIPLE DEPENDENT CLAIMS (if applicable)   + \$360.00   \$ \$0.00    MULTIPLE DEPENDENT CLAIMS (if applicable)   + \$360.00   \$ \$0.00    TOTAL OF ABOVE CALCULATIONS =   \$1,380.00    Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.  SUBTOTAL =   \$1,380.00    Processing fee of \$130.00 for furnishing the English translation later than 30 months from   \$1,380.00    TOTAL NATIONAL FEE =   \$1,380.00    TOTAL NATIONAL FEE =   \$1,510.00    Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +   \$0.00    TOTAL FEES ENCLOSED =   \$1,510.00    Amount to be   \$  Amount to Deposit Account No.   13,1728   A duplicate copy of this sheet is enclosed.  The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No.   13,1728   A duplicate copy of this sheet is enclosed.  The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No.   13,1728   A duplicate copy of this sheet is enclosed.  The Director is hereby authorized to charge any additional fees which may be required, or credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.  SIGNATURE   D. Bruce Prout  D. Bruce Prout  D. Bruce Prout  D. Bruce Prout			İ	•			*		\$ \$0.00		
Total claims 25 -20 = 5 x \$50.00 \$ \$250.00   Independent claims 3 - 3 = 0 x \$200.00 \$ \$0.00   MULTIPLE DEPENDENT CLAIMS (if applicable)	earliest claimed prid	ority date (37 CF	FR 1.492(e)).		nontn			\$	\$130.00		
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TOTAL NATIONAL FEE = \$ \$1,510.00  Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property	Processing fee of \$ the earliest claimed	130.00 for furnis	hing the English	h translation later th	an 30	mo	nths from	\$			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property + \$ \$0.00  TOTAL FEES ENCLOSED = \$ \$1,510.00  Amount to be \$ Amount to be \$ \$  a.  A check in the amount of \$ \$1,510.00 to cover the above fees is enclosed.  b. Please charge my Deposit Account No. in the amount of to cover the above fees. A duplicate copy of this sheet is enclosed.  c.  The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1728 . A duplicate copy of this sheet is enclosed.  d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.  SEND ALL CORRESPONDENCE TO:  CUSTOMER NUMBER: 23363  D. Bruce Prout  Christie, Parker and Hale, LLP  P.O. Box 7068  Pasadena, CA 91109-7068  Phone: 626-795-9900	010 00001	priority water (	O K 1.702(1))	<del></del>	IATI		AL FEE =	\$			
Amount to be  Amount to be  Amount to be  Amount to be  \$  a. A check in the amount of \$  \$1,510.00 to cover the above fees is enclosed.  b. Please charge my Deposit Account No. in the amount of to cover the above fees. A duplicate copy of this sheet is enclosed.  c. The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1728 A duplicate copy of this sheet is enclosed.  d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.  SEND ALL CORRESPONDENCE TO:  CUSTOMER NUMBER: 23363  D. Bruce Prout  Christie, Parker and Hale, LLP  P.O. Box 7068  Phone: 626-795-9900  Amount to be  \$	Fee for recording the accompanied by an	e enclosed assiç appropriate cov	gnment (37 CFF er sheet (37 CF	R 1.21(h)). The assi	ianme	ent m	nust he				
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